

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TONY BURTON	:	CIVIL ACTION
	:	
v.	:	
	:	
MICHAEL NUTTER; LOUIS GIORLA;	:	No. 14-1203
and JOHN DELANEY	:	

**ORDER**

AND NOW, this 29th day of September, 2015, upon consideration of plaintiff's "Complaint," defendants' "Motion to Dismiss for Failure to State a Claim," plaintiff's "Response to Defendants Motion to Dismiss," and for the reasons set forth in the accompanying memorandum of today's date, it is **ORDERED** that:

1. Defendants' "Motion to Dismiss for Failure to State a Claim" (paper no. 7) is **GRANTED**.

2. Plaintiff is given leave to file and serve an amended complaint stating a plausible claim against defendants under 42 U.S.C. § 1983 consistent with the court's opinion **on or before October 30, 2015**. Failure to do so will result in dismissal of the action.

/s/ Norma L. Shapiro

J.